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SUBJECT: MOMENTUM BUILDING TO BOLSTER MONUC'S MANDATE AND
STREAMLINE ITS TASKS

REF: STATE 107296

¶1. (SBU) SUMMARY. MONUC SRSG Doss told the Security Council on October 16 that progress continued on integrating the DRC army (FARDC), but noted that the FDLR had not been neutralized and LRA remnants were still active. In closed consultations with Council members, Doss said that LRA elements had moved to the Central African Republic, highlighting the need for a regional approach and for MONUC to work with other UN operations in the region. Ambassador Rice expressed concern about the effect the FARDC's operations are having on the civilian population. All Council members urged the continuation of "Kimia II." France, the UK, and Uganda, as well as Doss, called for security sector reform elements to be included in a revised MONUC mandate later this year. DRC PermRep Ileta told the Council that MONUC "must succeed" and suggested that the UNSC, MONUC, and DRC work together to develop a roadmap to transition the mission from peacekeeping to peacebuilding. END SUMMARY.

PROGRESS AGAINST THE FDLR

¶2. (SBU) On October 16, UN Organization Mission in the Democratic Republic of Congo (MONUC) Special Representative of the Secretary General (SRSG) Alan Doss told the Security Council in an open session that since his last report three months ago, MONUC has helped return security to the DRC, but cautioned against "resting on our laurels." Doss reported that the Congolese Armed Forces' (FARDC) actions to combat the Democratic Forces for the Liberation of Rwanda (FDLR) had made progress. He said that more FDLR combatants and their dependents were being repatriated to Rwanda and refugees and internally displaced persons (IDPs) were returning home. However, the FDLR had not been neutralized and attacks continued in North and South Kivu provinces, as well as in Orientale province where remnants of the Lord's Resistance Army of Uganda (LRA) were still active. Doss said more pressure needed to be put on FDLR leaders who were outside of DRC through criminalizing the militia under the Convention against Transnational Organized Crime.

MONUC'S PROTECTION MANDATE

¶3. (SBU) Doss told the Council that since it had mandated (in UNSCR 1856) MONUC to focus on civilian protection, the mission had identified protection hotspots and established mobile operating bases. More than 50 operations by joint protection teams had been launched, guided by a Rapid Response and Intelligence Cell. MONUC's troops have also provided, according to Doss, protection against attacks by armed elements to facilitate the safe delivery of humanitarian assistance. In closed consultations following the open session, Doss told Council members that additional troops authorized by UNSCR 1843 were being placed in

eastern DRC as a reserve. He underlined that "presence equals protection." He also noted that the "FDLR insurgency" cannot be dealt with if the FARDC is not sound, calling for continued joint planning, which he noted "does not always work." He added that President Kabila is fully committed to FARDC's improvement and reintegration.

PROGRESS ON MILITARY AND POLITICAL FRONTS

¶4. (SBU) To strengthen MONUC's operations, Doss told the Council that the first elements of the additional 3,000 forces authorized last year had begun to arrive in the east. Given the improved situation in western DRC, Doss will leave only 500 military personnel in that portion of the country. Overall, air assets were still lacking. Doss said that implementation of the 23 March agreements on the CNDP were also progressing but timetables for local elections might be pushed back to late 2010, as the enabling legislation was lagging. The justice sector, and particularly the prison system, needed to be strengthened. In closed consultations, Doss noted that "Kimia II" has exposed joint planning (with the FARDC) problems. He added that IDPs are returning to the areas they were leaving just a year ago. Doss noted with concern that elements of the LRA had moved to the Central African Republic, highlighting the need for a regional approach and for MONUC to work with other UN operations in the region, so that the LRA problem is not just displaced, but solved.

PREPARING TO REVISE MONUC'S MANDATE...

¶5. (SBU) Doss pointed out that next month marks the 10-year anniversary of MONUC, and asked Council members to remember
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the many successes the mission has enjoyed over that time. He said that MONUC's mandate, outlined in UNSCR 1856, includes 41 tasks that allowed the mission a necessary flexibility in carrying out its work. Nonetheless, Doss urged the Council to help rationalize the demands and expectations for the mission. As part of the process related to forming MONUC's Integrated Strategic Framework, the SYG's Policy Committee had recommended three areas to consider when reworking the mission's mandate, including evaluating the peace process; the status of DRC's democratic process and elections; and security sector reform (SSR). He warned against leaving prematurely as doing so would provide the opportunity for rebel groups to rearm themselves, undermining resolve and weakening efforts for sustainable peace in the region.

...WHILE LOOKING TO TRANSITION TO PEACEBUILDING FUNCTIONS

¶6. (SBU) Doss led the charge for a potential drawdown of MONUC's forces beginning in 2011 if all ongoing operations, particularly in the east, prove successful and the Congolese Government enjoys the necessary capacity to assume its functions. In closed consultations with Council members following the open meeting, Doss identified the important areas for MONUC's mandate going forward as SSR and rule of law.

DRC PERMREP OFFERS THOUGHTS ON MONUC AND A SOBERING TAKE ON THE SITUATION

¶7. (SBU) DRC PermRep Atoki Ileta told Council members that MONUC "must succeed" and must exit successfully; he added that the Congolese people do not want a hasty withdrawal, nor do they want the mission to stay forever. To accomplish a drawdown, Ileta suggested the UNSC, MONUC, and DRC work together to develop a roadmap to transition from peacekeeping to peacebuilding. He suggested that a new UN Office for Central Africa should be headquartered in DRC to, inter alia, facilitate such a transition. (Note: Ileta said he had an exchange of letters with SYG Ban on this matter.) He also noted that there is an ongoing need to significantly weaken or "annihilate" armed groups in his

country.

¶18. (SBU) Ileta reminded Council members of Foreign Minister Thambwe's comments during the UNGA General Debate about crimes of sexual violence, which he characterized as the worst so far in the 21st century. He added that he was personally shocked by the alleged gang rape by MONUC troops of an 18 year old woman in Kinshasa airport in late July. He requested information on who decided not to prosecute the alleged perpetrators and questioned the validity of the UN's "zero tolerance" for sexual abuse policy. (Note: Doss in closed consultations said MONUC had fully investigated the claim and found no evidence of rape.) He said the new SRSG for Sexual Violence could play a role in such cases, but that the new SRSG "must be a woman." He also raised the issue of HIV/AIDS on the peace and security situation in Africa, including in DRC. To demonstrate his point, he said that Orientale province has an AIDS prevalence rate four-times higher than the national average. He reflected that if the UNSC had taken action in 1999 (when MONUC was created) to address HIV/AIDS in DRC, he would not be addressing the same issue today.

PROTECTION OF CIVILIANS A KEY, ONGOING CONCERN OF COUNCIL MEMBERS

¶19. (SBU) As the meeting continued in closed consultations, all Council members expressed their strong support for MONUC's work, but noted concerns about the protection of civilians. All members supported continuing the "Kimia II" operation, but condemned human rights violations committed in relation to that operation, and in all other aspects. Most Council members reflected on the upcoming mandate renewal, and expressed at least some level of support for a drawdown plan as called for by SRSG Doss. A number of Council members called for MONUC to play a role in protecting natural resources, but did not offer specifics on how the mission could do that.

¶10. (SBU) Ambassador Rice acknowledged progress against the FDLR and LRA, but expressed concern about the effect the FARDC's operations were having on the civilian population. She urged the continuation of "Kimia II." She said MONUC's highest priority should be the protection of civilians in vulnerable areas. She also noted positive steps in the protection of human rights throughout DRC, but said the U.S. remains deeply concerned about the increase in

reported violations perpetrated by foreign armed groups and Congolese security forces. She commended MONUC's work to implement the Comprehensive Strategy on Combating Sexual Violence in the DRC and the hiring of a Senior Advisor on Sexual Violence. Ambassador Rice said that, with MONUC's mandate coming up for renewal in December, Council members need to ensure the mandate is both achievable and credible in the short- and long-term.

¶11. (SBU) French PermRep Araud called for a global strategy for the transition of MONUC to a mission with less of a military focus. He said the European Union, in particular, has a responsibility to "do more" in DRC. He also urged Council members to look at how the situation on the ground has changed over the last year when considering revising MONUC's mandate. UK PermRep Sawers--in his last Council meeting before heading back to London for his next assignment--offered effusive praise for Doss. Echoing Araud's comments, he recalled where things stood just one year ago and attributed the improvement to the UN's presence in DRC. Sawers called for a clearer role for MONUC in SSR, noting how ill-equipped the mission was in that area. On sexual violence, he said that "we have changed the attitude and put the spotlight on the problem," but that we had not solved it.

¶12. (SBU) Russia said MONUC's mandate needed to be realistic, effective, and focused on civilian protection, and that neutralizing FDLR forces by only military means

would not be enough. Russia expressed serious concern over the increased humanitarian problems caused by "Kimia II." China said the Congolese Government should expedite reintegration efforts and strongly condemned the FDLR and LRA's incessant reprisals against civilians.

¶13. (SBU) Ugandan PermRep Rugunda praised MONUC's work supporting the FARDC and said it should continue because "we can see the results." He recalled the Council's trip to Africa in May when PermReps visited a camp in Rwanda where 500 former FDLR combatants had been repatriated. On protection of civilians, Rugunda said that MONUC should talk to rebels, but if they refuse to "talk peace," there was no alternative but to neutralize them militarily (he reflected on Uganda's own experience in this regard). He called for including SSR in MONUC's mandate and a greater role for institution building among the Congolese Government.

DOSS TELLS RICE KABILA IS COMMITTED TO VETTING

¶14. (SBU) In a private meeting with Ambassador Rice before the briefing, Doss said that it was necessary to cut off the FDLR from its base of financial support, including its illegal mining revenues. Rice reaffirmed the U.S. commitment to pursue allegations against FDLR supporters in the U.S., and stressed the need for credible information so that the U.S. could take action. In response to Rice's question, Doss said President Kabila was committed to vetting the members of the FARDC and Doss suggested implementing the U.S. vetting standards for all FARDC members. He noted the greatest problem in the FARDC was removing command-level officers who had been integrated from militias, but who stood accused of human rights violations. On the "FARDC 5," Doss said all were removed from command positions, two were in custody, two were under a form of "house arrest," and one had absconded. Doss said Rwanda needed to apply pressure on the ex-CNDP members to ensure proper vetting. Doss said MONUC would agree to help the Ugandans combat the LRA, but MONUC would need DRC support and Security Council approval.

¶15. (U) Ambassador Rice has cleared this cable.
Wolff